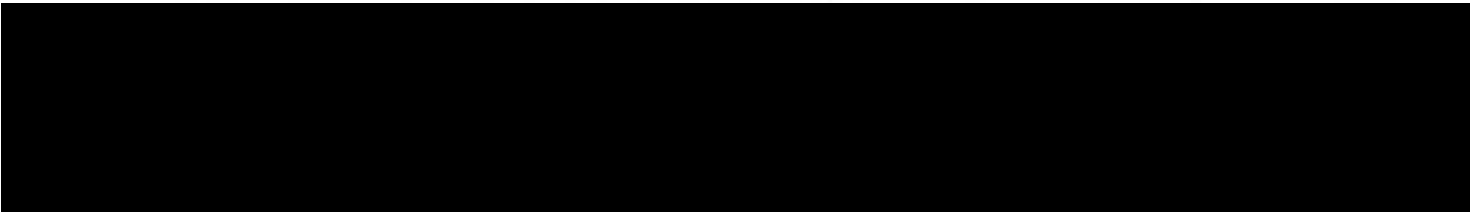


May 2007 EPA - APE Nitrate Questions

Prepared by Dianne Sands

Redacted non responsive



Pretty Prairie KS2015501: viol # 2006-32, 1Q2006, nitrate MCL exceedance: I see in the file that the Notice of Violation letter was written 3/30/2006, which was a Thursday. In SDWIS, the status date for the SIE being taken is 4/2/06, which was a Sunday. Most likely, the letter was delivered to Pretty Prairie Monday or Tuesday (04/03/06 or 04/04/06). According to Pretty Prairie, the PN was performed on 4/5/06, which is acceptable, but the Proof of PN was not received in BOW office until 4/17/06. Even allowing 10 days after the PN perform date rather than the SIE status taken date, the Certificate of Delivery still arrived beyond the due date. This water system was issued a SFL (State Administrative Order without penalty) in 1997, and this violation along with 19 others is associated to that SFL. Their tardiness violated not only the SIE, but also the SFL. Therefore, there are two reasons this system would have been given a 7500 PN violation. There is not a compliance officer name associated with the 7500 to give us more info at this time. In the yellow file folder is a copy of an email phone message from April 12, 2006 that Pretty Prairie left for Jeff Hand stating that they performed the PN on 4/5/06. Enforcement actions for the 7500 PN violation list only a SOX with a status date of 4/5/06. At this point, for further questions, I would consult with Kelly Kelsey or Patti Croy since they are more experienced and work with enforcement actions.

